

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Edward A. Harrison/Andre Bonding
218 Hunts Bridge Road
Greenville, SC 29617

SCDOI File Number 06-0502

**Default Order Revoking
ALL LICENSING PRIVILEGES**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (2005), by the State of South Carolina Department of Insurance upon Edward A. Harrison/Andre Bonding Co, by both certified mail, return receipt requested, and by regular mail on April 29, 2006.

That letter informed the above named respondent of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. The letter further warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as an insurance producer/ surety bail bondsman within the State of South Carolina. Despite that warning, Mr. Harrison failed to respond to the Department's letter. On July 13, 2006, therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as an insurance producer/surety bail bondsman within the State of South Carolina, Edward A. Harrison/Andre Bonding failed to pay an amount of at least \$24,000 dollars in Bond Forfeitures to the Greenville County Clerk of Court.

Section 38-53-150 of the South Carolina Code of Administrative Laws provides the Director or his designee "may revoke or suspend all licensing privileges after ten day's notice: "when it appears that a surety bail bondsman or agency...has violated this title or any regulation promulgated by the department." This Code Section goes on within Subsection (A)(9) to address: "failure to pay any judgment or decree rendered on any forfeited undertaking in any Court of competent jurisdiction." Moreover, § 38-53-150(A)(8) clearly stipulates: "when in the judgment of the director or his designee, the licensee has in the conduct of his affairs under the license demonstrated incompetence or untrustworthiness, that he is no longer in good faith carrying on the bail bonds business..."

In accordance with my findings of fact, and considering respondent's failure to pay the owed Bond Forfeitures to the Greenville County Clerk of Court, or to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that he violated S.C. Code Ann. § 38-53-150 (Supp. 2005) and that all his licensing privileges, as well as those of his business, should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's, *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2005). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110(3)(2005), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is, therefore, ordered that the licensing privileges of Edward A. Harrison and of his agency, Andre Bonding Company, to do business as producer/resident surety bail bondsman within the State of South Carolina, be, and are hereby, revoked, and that no license issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which the respondent is currently licensed, through the State of South Carolina Department of Insurance, as resident surety bail bondsman within the State of South Carolina.

This order becomes effective as of the date of my signature below.


Eleanor Kitzman
Director

July 13, 2006, at
Columbia, South Carolina

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Affidavit of Default

Personally appeared before me David Belton, who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was an attorney representing the State of South Carolina Department of Insurance in this administrative action. He further stated the following:

The Department served notice on Edward A. Harrison, at the address detailed above, by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a resident insurance producer/surety bail bonds agent within the State of South Carolina in thirty days. The Department served the Notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2005), by "depositing it in the United States mail, postage prepaid, addressed to the last known addresses of the person and registered with the return receipt requested." That Notice further informed the respondent of his opportunity, within thirty days, to request in writing a public hearing.

The Department mailed the Notice by certified mail, return receipt requested, and by regular mail, at the last known addresses, on or about April 28, 2006. The United Postal Services effected delivery of the Notice and the Return-Receipt Card was signed by the recipient on April 29, 2006. However Mr. Harrison has made no request for a public hearing, nor provided any other response to the Department's letter. The time in which to do so has expired. He is now in default.


David Belton
Senior Associate General Counsel

Sworn to and subscribed before me
This 3rd day of Jul, 2006.



Steven Dubois
Notary Public for the State of South Carolina
My Commission Expires May 10, 2009.

South Carolina Department of Insurance
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